

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

United States of America)	
)	Criminal Action No. 7:11-cr-0053-4-JMC
)	
v.)	OPINION & ORDER
)	
Robert Johnson,)	
)	
Defendant.)	
_____)	

This matter is before the court on Robert Johnson’s (“Johnson”) pro se motion requesting his Sentencing Transcript, his Rule 11 Hearing Transcript, a copy of the Plea Bargain offered him, and the Docket Sheet. (Dkt. No. 1654). This court construes *pro se* motions liberally, and such *pro se* motions are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). The court construes Johnson’s motion as one requesting transcripts to be provided at the Government’s expense. Even if the court applies the less stringent standard, Johnson’s request cannot be granted.. In order for a prisoner to receive free copies of records in his or her criminal case, whether it is a state case or a federal case, the prisoner’s request must show a particularized need for the records. *Jones v. Superintendent, Virginia State Farm*, 460 F.2d 150, 152-153 (4th Cir. 1972), *reh’g granted*, 465 F.2d 1091, 1094 (4th Cir. 1972) (adhering to prior opinion and denying rehearing en banc); *Morin v. United States*, 522 F.2d 8, 9 (4th Cir.1975) (applying *Jones* to federal prisoner). “An indigent [prisoner] is not entitled to a transcript at government expense without a showing of the need, merely to comb the record in the hope of discovering some flaw.” *See United States v. Shoaf*, 341 F.2d 832, 833 (4th Cir. 1964). Johnson’s

request for documents is based only on his “insufficient income and property to enable him to pay the costs, fees and expenses to pursue said case.” There is not indication as to what type of case he is pursuing. Therefore, Johnson fails to show a particularized need for the requested transcripts. Accordingly, motion for transcripts at the Government’s expense is denied. Johnson may obtain a copy of the transcript from the court reporter at his own expense, if he so desires. It is therefore **ORDERED** that Johnson’s motion, [Dkt. No. 1654.] is **DENIED**.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

August 24, 2012
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

Defendant is hereby notified of his right to appeal this order within fourteen(14) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.